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Intervenor South 101 Corridor Group, Inc. moved for reconsideration of our compliance order regarding previous findings of invalidity dated December 15, 2000. On January 8, 2001, Petitioner John Diehl responded to the motion. Intervenor based its motion on its contention that we created a new standard not present in the law requiring uses in the rural activity centers (RAC) to be principally designed to serve the rural population. Further, Intervenor claimed that our allusion to a requirement for residential growth to be directed into the urban growth areas (UGAs) was a new requirement.

Intervenor assumed that the exemption to which we referred in Section .070(5)(d)(i) was the exemption from the requirements of (c)(ii)(iii). Petitioner Diehl countered that the exemption we referred to in .070(5)(d)(i) was that of an industrial area not being required to be principally designed to serve the existing and projected rural population.

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Growth Management Hearings Board
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1 Petitioner Diehl is correct. Intervenor misapprehended our reference. Taylor Towne
2 RAC is clearly a local area of more intense rural development (LAMIRD). As it
3 combines commercial and industrial uses, it is clearly a mixed-use area. Section
4 .070(5)(d)(i) exempts only industrial areas from the requirement of being principally
5 designed to serve the existing and projected rural population. That section also calls for
6 the County to adopt measures to minimize and contain existing uses of more intensive
7 rural development. This includes minimization and containment of industrial uses which
8 do not serve the existing and projected rural population. Such industrial uses include
9 light industry, small engine repair, furniture repair and plumbing shops, all listed in our
10 December 15, 2000, order. While these uses may continue in the Taylor Towne RAC as
11 existing, they ought not to be permitted uses in all RACs. They should instead be
12 nonconforming uses. The rural population service exemption in (i) for industrial areas
13 does not apply to industrial uses within a mixed-use area. (emphasis supplied).

14 Petitioner Diehl noted that an overpermissive rural matrix of uses serves as a magnet for
15 rural residential growth in the absence of effective mechanisms to channel growth to
16 UGAs. This interferes with Growth Management Act goals to encourage growth in urban
17 areas and to reduce the inappropriate conversion of undeveloped land into low-density
18 sprawl. RCW 36.70A.020(1) and (2).

19 Petitioner Diehl is correct. This is not a new standard directing growth into the UGAs. It
20 is a recognition that an overpermissive matrix of permitted uses in the rural area
21 interferes with Section .020(1) and (2), absent strongly-defined mechanisms for
22 encouraging development in urban areas and for reducing inappropriate conversion of
23 undeveloped land.

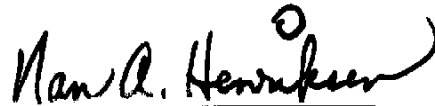
1 The motion for reconsideration is denied.

2 So ORDERED this 17th day of January, 2001.

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4 WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD

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8 Les Eldridge
Board Member

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11 Nan A. Henriksen
12 Board Member